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Follow-up to the high-level meeting held on 24 September 2010: revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations

Letter dated 5 October 2010 from the Secretary-General addressed to the President of the General Assembly

At the end of the high-level meeting on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations, held in New York on 24 September 2010, I circulated a summary of the discussion which reflected my understanding, as convener and Chair of the high-level meeting, of the views expressed. I also indicated that I would present the Chair's summary to the President of the General Assembly. As I noted in my concluding remarks, I was heartened by the resolve of Member States to revitalize the work of the Conference on Disarmament and take forward the multilateral disarmament agenda.

During the meeting, it was proposed that the General Assembly include in the agenda of its sixty-fifth session an item entitled "Follow-up to the high-level meeting held on 24 September 2010: revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations" and discuss it in plenary and in the First Committee. Consequently, on 4 October 2010, I wrote to the President of the General Assembly to request that the item be included in the agenda of the current session of the Assembly (see A/65/231). This demonstrates the determination of Member States to ensure that the high-level meeting marks both a continuation of the series of successful meetings over the past year and an important step towards the revitalization of the work of the multilateral disarmament machinery, and in particular of the Conference on Disarmament.

I am pleased to transmit to you the Chair's summary of the high-level meeting (see annex) and should be grateful if you would bring it to the attention of the members of the General Assembly, under the aforementioned agenda item. The document could provide a basis for the consideration of this item in the First Committee and in plenary, as required.

I am grateful for your continued personal support to this crucial issue.

(*Signed*) **BAN** Ki-moon

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Annex to the letter dated 5 October 2010 from the Secretary-General addressed to the President of the General Assembly

High-level meeting on revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations

Chair's summary

The high-level meeting was held on 24 September 2010 from 8 a.m. to 1 p.m. A total of 68 delegates spoke, including 37 Ministers for Foreign Affairs and representatives of three specialized organizations. The Secretary-General opened the meeting and invited the President of the General Assembly, Mr. Joseph Deiss, and the Minister of External Relations of Cameroon, Mr. Henri Eyebe Ayissi, representing the country holding the current presidency of the Conference on Disarmament, to address the meeting. At the end of the meeting, the Secretary-General, as convener and Chair of the high-level meeting, circulated a summary of the discussion which reflected his understanding of the views expressed.

1. Today's high-level meeting focused on the promotion of multilateral disarmament in general and the work of the Conference on Disarmament in particular, with a view to providing high-level political impetus to the work of the Conference. The Secretary-General's initiative in convening this meeting was widely welcomed. In this connection, many Member States commended the Secretary-General's active engagement in advancing nuclear disarmament and non-proliferation and in particular his five-point proposal. At the outset, the Secretary-General urged Member States to focus on identifying ways to revitalize the work of the Conference on Disarmament as well as further moving forward disarmament negotiations.

2. Participants stressed the importance of disarmament with regard to the strengthening of global security and the promotion of international stability. Throughout the discussions, many States reaffirmed that multilateralism was the core principle in negotiations in the area of disarmament and non-proliferation. It was also stressed that multilaterally agreed solutions, in accordance with the Charter of the United Nations provide the only sustainable method of addressing disarmament and international security issues. Several Member States noted that promoting disarmament could also help to address other critical challenges facing the international community, including meeting the Millennium Development Goals.

3. Participants recognized and welcomed the momentum generated by renewed efforts to achieve a world free of nuclear weapons. In this respect, it was reiterated that the only guarantee of avoiding the use or threat of use of nuclear weapons was their elimination.

4. It was recognized that the political will to advance disarmament and non-proliferation had been strengthened in recent years. Statements by world leaders and former high-level statesmen of many countries, as well as voices from civil society, have underscored the urgent need for decisive action in this area. The Security Council summit held in September 2009, the Nuclear Security Summit held in Washington, D.C., in April 2010 and initiatives at both the multilateral and bilateral levels — including the signing of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and

Limitation of Strategic Offensive Arms (New START Treaty) in April 2010 — were noted as encouraging developments. A number of Member States lauded the agreement reached at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, which contributed to restoring faith in the international non-proliferation regime.

5. Many Member States stressed that, in spite of recent positive developments, greater effort should be made to advance international peace and security, in particular in moving forward multilateral disarmament negotiations. In this regard, they expressed concern about the current status of the multilateral disarmament machinery.

6. Some Member States pointed out that the disarmament machinery dated back to 1978 and expressed support for the need for a comprehensive assessment, with a view to establishing a more effective functioning of multilateralism. In this connection, some States called for a review of the working methods of the existing multilateral disarmament bodies, in particular of the Conference on Disarmament and the United Nations Disarmament Commission, including their procedures and operational principles. A number of States, however, stressed the importance of preserving the nature, role and purpose of each part of the United Nations disarmament machinery.

7. Many Member States expressed support for the convening of the fourth special session of the General Assembly devoted to disarmament to revitalize the work of the Conference on Disarmament and to review the larger architecture of the disarmament machinery. Others noted the absence of consensus on this proposal and explained that the current impasse in multilateral disarmament diplomacy was due to the lack of political will and divergent views on priorities, rather than to the mechanisms of the disarmament machinery. It was also noted that a decision on the fourth special session was the prerogative of the General Assembly.

8. A number of Member States emphasized that disarmament and non-proliferation were mutually reinforcing and that as such, both aspects should be dealt with in tandem. Some expressed the concern that too much emphasis had been placed on issues related to nuclear weapons and other weapons of mass destruction. In this regard, it was stressed that the international community should not lose sight of the issue of conventional weapons, including small arms and light weapons. Some States emphasized the importance of promoting human security and the international humanitarian law dimension of disarmament.

9. A number of Member States presented their views on the work of the Conference on Disarmament, which has been paralysed for more than a decade, thereby undermining its effectiveness in addressing pressing security challenges. In this context, the necessity of addressing procedural matters by consensus was called into question. Some Member States proposed a review of the working methods of the Conference.

10. A number of Member States expressed their continued support and expectations for the Conference on Disarmament and its critical role as the single multilateral disarmament negotiating body. However, they deplored the failure by the Conference to implement its agreed 2009 programme of work. A number of Members voiced concern that the continued stalemate in the Conference would further damage its credibility. Many stressed the urgent need for the Conference to

fulfil its mandate, as set forth by the first special session of the General Assembly devoted to disarmament, held in 1978. A number of States expressed the view that the Conference on Disarmament should be open to the participation of all States and relevant stakeholders. In this regard, calls were made for the appointment of a special coordinator on the expansion of the membership of the Conference.

11. Several Members expressed concern that, should the current stalemate continue, the relevance of the Conference on Disarmament would be called into question and Member States could resort to an alternate multilateral process. It was also noted that important conventions, such as the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction and the Convention on Cluster Munitions were negotiated outside the Conference. Others underscored the need to prevent such a parallel process, as this would undermine the Conference.

12. A large number of Member States strongly urged the Conference on Disarmament to adopt a programme of work early in its 2011 session on the basis of the 2009 programme of work and subsequent proposals submitted during the 2010 session. Many noted that the 2009 programme of work (CD/1864) was the best way forward: starting negotiations on a treaty banning the production of fissile material for nuclear weapons and other nuclear explosive devices, beginning substantive work on nuclear disarmament, negative security assurances and preventing an arms race in outer space. However, some Members maintained that the Conference should treat all issues on its agenda in an equal and balanced manner. Several States called for a deadline for the Conference to start substantive work. It was suggested that such a deadline be included in a programme of work of the Conference or in a resolution of the General Assembly.

13. The majority of speakers underscored the urgent necessity of negotiating and bringing to a conclusion a non-discriminatory, multilateral and internationally and effectively verifiable treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. Pending the conclusion of such a treaty, calls were made for moratoriums to be declared and upheld on the production of fissile material for nuclear weapons or other nuclear explosive devices. The nuclear-weapon States all expressed support for starting negotiations on such a treaty. Many expressed the hope that such negotiations would take place in the Conference on Disarmament. But in the absence of such a prospect, many suggested that alternative arrangements should be explored. Some voiced concern that exploring such a separate mechanism would undermine the Conference.

14. A number of Member States also expressed support for other important agenda items. They urged the Conference on Disarmament to establish an ad hoc committee on nuclear disarmament and start negotiations on a phased programme for the complete elimination of nuclear weapons within a specified time frame, including a nuclear weapons convention. Nuclear-weapon States, on their part, reaffirmed their commitment to nuclear disarmament, in particular their determination to implement the follow-on actions of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of nuclear weapons. Towards this end, the nuclear-weapon States announced their intention to convene a meeting in Paris in 2011.

15. Pending the achievement of the total elimination of nuclear weapons, some Member States called for negotiation of an instrument to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. A number of Member

States expressed concern that the legal framework governing the use of outer space needed to be strengthened so as to prevent an arms race in outer space. A number of Member States called on the Conference on Disarmament to commence substantive work on these issues.

16. In discussing the need for a fresh review of the existing multilateral disarmament bodies, divergent views were expressed on the validity of the working methods of the Conference on Disarmament. Some Member States held that its rules of procedure had contributed to the current paralysis of the Conference. It was noted that the consensus rule might have been appropriate for the cold war era, but that it was no longer suited to today's multipolar world. Others maintained that its rules of procedure had served the Conference well and advocated continued adherence to the consensus rule. Some Member States highlighted the vital role of political will in overcoming the current deadlock.

17. The participation of three United Nations-related organizations — the International Atomic Energy Agency (IAEA), the Organization for the Prohibition of Chemical Weapons (OPCW) and the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization — was recognized. A number of States took note of the joint ministerial statement issued by the Fifth Biennial Ministerial Meeting in Support of the Comprehensive Nuclear-Test-Ban Treaty. Several calls were made to bring into force the Comprehensive Nuclear-Test-Ban Treaty without further delay. Member States affirmed the goal of establishing a zone in the Middle East free of nuclear weapons. In this connection, some Member States welcomed the follow-on actions agreed to at the 2010 Review Conference and highlighted the support provided by the relevant international organizations, including IAEA and OPCW.

18. As a result of and encouraged by today's meeting, many Member States indicated that substantive follow-up actions were required to ensure that today's session marked both a continuation of the series of successful meetings over the past year, as mentioned above, and the beginning of the revitalization of the work of the multilateral disarmament machinery, in particular the Conference on Disarmament. In this regard, some States emphasized that any follow-up needed to be an inclusive process, driven by Member States, and should strengthen the role and work of the Conference and efforts aimed at achieving nuclear disarmament.

19. In this regard, the Secretary-General suggested the following actions based on today's deliberations:

(a) Taking into account the overwhelming call for greater flexibility to commence substantive work of the Conference on Disarmament without further delay, and noting that the programme of work adopted by consensus in 2009 is the most common denominator, it is strongly suggested that at its first plenary meeting in 2011, the Conference on Disarmament adopt the 2009 programme of work or any other similar subsequent proposal submitted during the 2010 session;

(b) It is proposed that the General Assembly include in the agenda of its sixty-fifth session an item entitled "Follow-up to the high-level meeting held on 24 September 2010: revitalizing the work of the Conference on Disarmament and taking forward multilateral disarmament negotiations", to be considered both directly in the plenary and in the First Committee;

(c) The Secretary-General will ask his Advisory Board on Disarmament Matters to undertake a thorough review of the issues raised here today, including, inter alia, the possible establishment of a high-level panel of eminent persons with a special focus on the functioning of the Conference on Disarmament. Based on its recommendations, the Secretary-General would consider further action in this regard;

(d) Given that the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of nuclear weapons invited the Secretary-General to convene the high-level meeting, the Secretary-General intends to submit his report on the meeting and its follow-up to the first session of the Preparatory Committee for the 2015 Review Conference, which will be held in 2012. The report will summarize the meeting's outcome and the Secretary-General's observations, taking into account any developments in the Conference on Disarmament, along with his suggestions as necessary.

20. The participation of the President of the General Assembly, Mr. Joseph Deiss, and the Minister of External Relations of Cameroon, Mr. Henri Eyebe Ayissi, in his capacity as representative of the country holding the current presidency of the Conference on Disarmament, as well as that of the Director-General of the United Nations at Geneva, was gratefully acknowledged. It was noted that the President of the General Assembly had pledged to lend his personal support to this crucial issue, including his intention to follow up on the outcome of today's meeting.